

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

KATHERINE G. AVERY,  
Plaintiff,

vs.

Case No. 04-1281-JTM

JO ANNE B. BARNHART,  
Commissioner of Social Security,  
Defendant.

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MEMORANDUM AND ORDER

The matter is before the court on the motion of the Commissioner seeking an order reversing and remanding the case under sentence four of 42 U.S.C. § 405(g), and for entry of final judgment. The Commissioner's brief states that following remand, the case will be remanded by the Appeals Council to an ALJ, with directions to (a) further analyze the evidence relating to plaintiff's allegations of carpal tunnel syndrome and post-polio syndrome; (b) if necessary, further develop the record relating to plaintiff's conditions; (c) further analyze and discuss the medical opinion evidence of record; (d) reformulate plaintiff's residual functional capacity; and (e) pose a properly phrased hypothetical question to the vocational expert. Plaintiff Katherine Avery has filed no opposition to the Commissioner's motion, and has previously indicated that reversal and remand was acceptable relief.

For good cause shown, the motion of the Commissioner for reversal and remand is granted (Dkt. No. 10), the previous decision of the Commissioner is reversed, and the present action is

remanded for further proceedings consisting with this Order, pursuant to sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED this 31<sup>st</sup> day of August, 2005.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE